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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

AUG 0 9 2010

REPLY TO THE ATTENTION OF:

E-19J

Philip Forst
Environmental Engineer
Federal Highway Administration
Galtier Plaza
380 Jackson Street, Suite 500
St. Paul, Minnesota 55101

Re: Trunk Highway 23 - US Highway 71 at Willmar, Minnesota, Final Environmental Impact Statement, CEQ# 20100290

Dear Mr. Forst:

In accordance with U.S. Environmental Protection Agency (US EPA) responsibilities under the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act, we have reviewed the Final Environmental Impact Statement (FEIS) for the Trunk Highway 23 - US Highway 71 Project, in Kandiyohi County, Minnesota.

This project involves a segment of highway approximately 3.5 miles long, located northeast of the City of Willmar. The project goal is to upgrade this link between two previously upgraded segments of Trunk Highway 23. The project anticipates the city's planned expansion in this direction and addresses concerns for safety and functionality along the existing corridor.

US EPA has previously participated in early scoping for this project in December 2007 and provided comments on the Draft Environmental Impact Statement (DEIS) on June 6, 2008. Our review of the DEIS identified a number of concerns related to surface water and wetlands, stormwater run-off, northern alternative 4N-Mod that had significant impacts being retained, noise and some undisclosed impacts. The FEIS indicates some physical surface water treatments to be constructed and that the Minnesota Department of Natural Resources (MDNR) will consult on the vegetative selections. Wetland impacts for several higher quality areas are to be avoided or impacts have been minimized. Stormwater run-off is clarified as to its quantitative impacts and proposals are made to mitigate these impacts with bioengineered ditches, swales and detention basins. The selected preferred alternative is 2B, which includes two interchanges along the trunk highway, plus the northern alternative N2, for access to the state boat launch site on Point Lake, which has minimal impacts. Noise impacts were analyzed for the preferred alternative along with possible mitigations using sound barrier walls. It was determined that most such barriers would be ineffectual and the three noise barriers that could be effective in reducing noise impacts would not be cost effective to build. The FEIS identified and appropriately discussed several connected or indirect potential impacts not presented in the DEIS.

A new impact regarding the floodplain related to realigning Hawk Creek (Creek) was recognized and discussed in the FEIS. For the stretch of Creek being realigned, its existing associated floodplain will also be realigned / replaced with the new alignment. The hydrology, construction and vegetation of the realigned channel are being coordinated with MDNR.

We recommend the following opportunities regarding the Creek floodplain and the area wetlands be considered in reaching a Record of Decision (ROD). We understand that historically, the Creek connection between Eagle Lake and Swan Lake is a manmade construction. We note that the segment of this channel extending from Swan Lake and a similar segment extending from Eagle Lake have established wooded buffers along both shores. These buffering woods stop and are not present along the middle portion of the creek, where farming and road construction have occurred. We recommend creating a green infrastructure buffer along this realigned middle section of Hawk Creek to provide connectivity for all natural resources (currently focused on fish) between the two lakes. To optimally connect such a buffer, we recommend the highway bridge the Creek and its floodplain, rather than use a series of culverts. Since the roadway is at least 10 feet above the Creek high-water line, it seems there is ample room to establish a vegetated creek-side buffer under the bridge and thus provide wildlife a corridor along the floodplain and perhaps even an opportunity to biologically pretreat stormwater run-off from the new adjacent interchange at Route 90.

Further north in the project, the other proposed interchange at Route 25 will impact what are described as two wetlands. Although indicated as two wetlands, one north of Route 25 and one south, they appear to have been part of the same system prior to construction of the existing road. Mitigation for project impacts to these two wetlands could be achieved by improving their connectivity and functionality by replacing the proposed narrow culvert with a bridge that would widen the connection of this wetland under the roadway, and thus create wetland. This would allow the connection to be vegetated appropriately and to function as a single wetland greater than 9.41 acres.

All wetland and floodplain mitigation should be monitored post-construction to assure their proper functionality. The ROD should commit to appropriate maintenance of these mitigations or perhaps utilize adaptive management to assure maintenance and improve the function of these resources over time.

We appreciate the opportunity to review and comment on this FEIS for the Trunk Highway 23 - US Highway 71 Project. Should you have any questions regarding these comments, please feel free to contact me or my staff member Norm West at 312-353-5692 or west.norman@epa.gov.

Sincerely,

Julia Guntherson for

Kenneth A. Westlake
Chief, NEPA Implementation Section
Office of Enforcement and Compliance Assurance

Cc: Lowell Flaten, MnDOT-District 8 Project Manager,
2502 Transportation Road, Willmar, MN 56201